

REMARKS

To date, the Examiner has not indicated that all of the subject matter of the information disclosure statement (IDS) filed December 10, 2004 has been properly considered. Additionally, the Examiner has not indicated that all of the subject matter of the IDS filed July 21, 2005 has been properly considered, specifically the documents under the Foreign Patent or Foreign Patent Application section. A copy each IDS is submitted herewith. If the Examiner requires additional copies of any reference(s), applicant invites the Examiner to contact the undersigned. Documentation in the file wrapper of the instant application confirming the Examiner's consideration of the appropriate reference(s) is respectfully requested.

The Examiner has rejected Claims 1-2, 4-13, 18-20 and 44-45 under 35 U.S.C.112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant respectfully disagrees with this assertion.

In the Examiner's response to applicant's arguments, the Examiner has merely stated that the previous rejections are maintained. In response, applicant incorporates the relevant remarks set forth in the response dated 08/24/2006.

Further, applicant notes that the Examiner has taken issue with the following terms, for example:

- “identifier”
- “allowing”
- “file”
- “correspondence”
- “associating”
- “accessible”
- “reported”

“add icon”
“modify icon”
“file structure field.”

In response, applicant respectfully points out that such terms are clear from the plain and ordinary meaning thereof, as evidenced by dictionary definitions, etc.

Further, the Examiner sets forth numerous questions, examples of which are addressed below:

First, is the first identifier the same identifier that the notes were stored with?

The claims are broadly drafted such that this may or may not be the case.

If there is only one identifier, how can there be a first and second identifier.

Applicant does not claim “only one” identifier, but rather a, or at least one, identifier.

Are these in addition to the identifier stored with the notes?

The claims are broadly drafted such that this may or may not be the case.

If there is only one file, how can there be a first file and a second file?

Applicant does not claim “only one” file, but rather a, or at least one, file.

Thus, how can a plurality of patents be associated with one patent number?

An example of this is set forth of in Figure 11. Of course, such example should not be construed as limiting in any manner, since any “associating,” in terms of its plain and ordinary meaning, is covered by the claim language.

How can one category become each category?

The claims do not require only one category.

The Examiner has further argued that Claim 20 is indefinite since applicant amended the invention from a method to a system but does not provide any structure to the system. In response applicant respectfully disagrees. Specifically, note should be taken of the claimed “computer readable medium” with “computer code.”

In addition, the Examiner has rejected Claims 1-2, 4-13, 18-20, and 44-45 under 35 U.S.C. 103(a) as being unpatentable over Rivette (U.S. Patent No. 2003/0046307). Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove to the independent claims.

For example, applicant has amended the independent claims to further distinguish applicant’s claim language from the Rivette reference, as follows:

“displaying statistics regarding a number of the patents of the set in each category of technology in a first interface.

displaying first additional information associated with at least a portion of the patents of the set in a second interface separate from the first interface upon the selection of an icon positioned in the first interface and associated with one of the statistics, for drilling down from the first interface to the second interface, wherein the first additional information includes a list of the patents of the set associated with one category of technology.

displaying second additional information associated with at least one of the patents of the list in a third interface separate from the first interface and the second interface upon the selection of an additional icon positioned in the second interface and associated with one of the patents, for drilling down from the second interface to the third interface, wherein the second additional information is selected from the group consisting of a patent number, a status, an exemplary claim, and an exemplary figure," in the context claimed (see this or similar, but not necessarily identical language in the independent claims).

Applicant respectfully asserts that many benefits arise from the synergy of the technology mapping, and the remaining claimed framework. Specifically, a user is capable of associating patents with at least one identifier (with additional notes associated therewith), and also obtaining technology-related metrics regarding a set of patents, with one framework that is more effectively organized (see details of claims). Specifically, only applicant teaches and claims such a drill-down technique for accessing information relating to the patents subject to the technology mapping, which is believed to be unique, when taken in combination with the remaining claim elements.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir.1991).

Applicant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met, since the prior art references, when combined, fail

to teach or suggest all of the claim limitations, as noted above. Thus, a notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

To this end, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. SVIPGP002B).

Respectfully submitted,
Zilka-Kotab, PC.

/KEVINZILKA/

P.O. Box 721120
San Jose, CA 95172-1120
408-505-5100

Kevin J. Zilka
Registration No. 41,429

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Kevin J. Zilka et al.

Application No. 10/661,878

Filed: 09/11/2003

For: SYSTEM, METHOD AND COMPUTER
PROGRAM PRODUCT FOR COLLECTING
STRATEGIC PATENT DATA ASSOCIATED
WITH AN IDENTIFIER

)))))

Docket No. SVIPGP002B

Date: December 10, 2004

COPY

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service at First Class Mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on the date mentioned above.

Signed: 

Linda L. Farlow

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§ 1.56 AND 1.97(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Examiner:

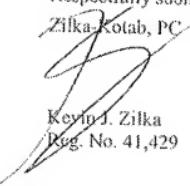
The references listed in the attached PTO Form 1449(s), at least one of which was provided by an Examiner(s) handling a related patent application(s), copies of which are attached, may be material to examination of the above-identified patent application. Applicants submit these references in compliance with their duty of disclosure pursuant to 37 CFR §§ 1.56 and 1.97. The Examiner is requested to make these references of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

This Information Disclosure Statement is being filed after the mailing date of a first Office Action. Accordingly, applicants are including a check in the amount of \$180.00 for the fee due in connection with the filing of this Information Disclosure Statement. However, if it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees or credit any overpayment to Deposit Account 50-1351 (Order No.SVIPGP002B).

Respectfully submitted,

Zilka Kotab, PC



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Form 1449 (Modified)				Atty. Docket No. SVIPGP002B	Application No.: 10/661,878		
Information Disclosure Statement By Applicant				Applicant: Kevin J. Zilka et al.			
(Use Several Sheets if Necessary)				Filing Date: 09/11/2003	Group Art Unit: 2811		

Foreign Patent or Published Foreign Patent Application								
Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-class	Translation Yes	Translation No
A	03/044718	30.05.2003	WIPO	G06F	17/60	X		
B	91/35277	17.05.2001	WIPO	G06F	17/30	X		
C	2002366797	20.12.2002	JP	G06F	17/60			X

Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	D	Office Action mailed 11/15/2004 in US Patent Application 10/661,855, which was filed 9/11/2003
	E	Office Action mailed 10/12/2004 in US Patent Application 10/661,938, which was filed 9/11/2003
	F	Office Action mailed 11/12/2004 in US Patent Application 10/661,789, which was filed 9/11/2003
	G	Office Action mailed 11/30/2004 in US Patent Application 10/691,060, which was filed 10/22/2003
	H	Office Action mailed 11/12/2004 in US Patent Application 10/660,830, which was filed 9/11/2003
	I	Office Action mailed 11/15/2004 in US Patent Application 10/324,887, which was filed 12/18/2002
	J	http://www.open-ideas.org/ , Open Ideas, 4/6/2001
	K	Roberts, Bill, Solving the Value Equation, Knowledge management Magazine, January 2001
	L	www.uspto.gov retrieved from the Internet Archive Wayback Machine 11/8/04
	M	www.uspto.gov retrieved from the Internet Archive Wayback Machine 11/22/04
	N	Reedman, Alan, The Computer Desktop Encyclopedia, AMACOM 1996
	O	Microsoft press Computer Dictionary third Edition Microsoft Press, 1997

Examiner	Date Considered
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Notice of References Cited			Application/Control No.	Applicant(s)/Patent Under Reexamination	
			10/524,607 R/061,878	ZILKA ET AL	
Examiner			Jan Mooneyham	Art Unit	3629
				Page 1 of 1	

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
A	US-6,434,581	08-2002	Tokano et al	718/530
B	US-2002/0007373	01-2002	Blair et al	707/505
C	US-			
D	US-			
E	US-			
F	US-			
G	US-			
H	US-			
I	US-			
J	US-			
K	US-			
L	US-			
M	US-			

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N	WO 01/35277	11-2000	PCT	Gabnick	
O					
P					
Q					
R					
S					
T					

NON-PATENT DOCUMENTS

*	Include as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages)
U	Open Ideas from www.open-ideas.org 4/6/2001
V	
W	
X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 767.05(b))
Dates in MM-YYYY format are publication dates. Classification may be US or foreign.

Notice of References Cited

Application/Control No.
10/641,749
Examiner
Jan Mooneyham

Applicant(s)/Patent Under
Reexamination
ZILKA ET AL
Art Unit
3629
Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
A	US-2004/0205537	10-2004	Graham et al.	715/511
B	US-2002/0077835	06-2002	Hagelin, Theodore	705/1
C	US-2002/0032659	03-2002	Waters, Michael	705/54
D	US-2003/0172020	09-2003	Davies et al.	705/38
E	US-2002/0093528	07-2002	Grainger, Jeffry J.	345/738
F	US-			
G	US-			
H	US-			
I	US-			
J	US-			
K	US-			
L	US-			
M	US-			

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N	WO 02/05150	01-2002	PCT	Kanevsky et al	
O					
P					
Q					
R					
S					
T					

NON-PATENT DOCUMENTS

*	Include as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages
U	Roberts, Bill, Solving the Value Equation, Knowledge management Magazine, January 2001.
V	
W	
X	

*A copy of this reference is not being furnished with this Office action. (See M-RE § 702.05(a))
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign

Notice of References Cited

Application/Control No.

10/001,998

Examiner

Jan Monneyham

Applicant(s)/Patent Under

Reexamination

ZILKA ET AL

Art Unit

3629

Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
A	US 2003/0096307	03-2003	Rivette et al.	707/104.1
B	US 2003/0059078	05-2002	Granger et al.	705/1
C	US-			
D	US-			
E	US-			
F	US-			
G	US-			
H	US-			
I	US-			
J	US-			
K	US-			
L	US-			
M	US-			

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N	WO 02/05150	06-2001	PCT	IBM	
O					
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S					
T					

NON-PATENT DOCUMENTS

Include as applicable. Author, Title Date, Publisher, Edition or Volume, Pertinent Pages

*	U	www.open-ideas.org - Open Ideas from 4/9/01
	V	
	W	
	X	

A copy of each reference is not being furnished with this Office Action. (See MPEP 1.707.05(a)(2))
 Dates in MM-YY format are publication dates. Classifications may be US or foreign.

Notice of References Cited			Application/Control No.	Applicant(s)/Patent Under Reexamination	
			10/661,855 10/661,873	ZILKA ET AL	Art Unit
			Examiner	3629	Page 1 of 1
U.S. PATENT DOCUMENTS					

*	Document Number Country Code-Number-Kind Code	Date MM YYYY	Name		Classification
A	US-2002/0035479	03-2002	Germeraad et al		705/9
B	US-				
C	US-				
D	US-				
E	US-				
F	US-				
G	US-				
H	US-				
I	US-				
J	US-				
K	US-				
L	US-				
M	US-				

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N	WO 01/35277	11-2000	PCT	Gabrick	
O					
P					
Q					
R					
S					
T					

NON-PATENT DOCUMENTS

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages
U	Roberts, Ginger, Derwent Information Global Patent Sources, 1995
V	
W	
X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 207.05(c)3)
Dates in MM-YYYY format are publication dates. Classifications may be U.S. or foreign.

Notice of References Cited			Application/Control No.	Applicant(s)/Patent Under Reexamination	
			10/691,687	10/1621,578	ZILKA ET AL.
			Examiner Jan Mooneyham	Art Unit 3629	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code Number-Kind Code	Date MM-YYYY	Name	Classification
A	US 2003/00416307	03-2003	Rivette et al.	707/104.1
B	US-			
C	US-			
D	US-			
E	US-			
F	US-			
G	US-			
H	US-			
I	US			
J	US-			
K	US-			
L	US-			
M	US-			

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N	WO 02/05150	01-2002	PCT	Kanovsky	
O					
P					
Q					
R					
S					
T					

NON-PATENT DOCUMENTS

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
U	Freedman, Alan, The Computer Desktop Encyclopedia, AMACOM 1996
V	Microsoft press Computer Dictionary third Edition Microsoft Press, 1997
W	www.uspto.gov retrieved from the Internet Archive Wayback Machine 7/6/2000
X	

A copy of this reference is not being furnished with this Office action. (See EPPR 1707.05(b))
Dates in MM-YYYY format are publication dates. Classifications may be US or Foreign.

Notice of References Cited

Application/Control No

10/680,833

101,641,837S

Examiner

Jen Mooneyham

Applicant(s)/Patent Under

Reexamination

ZILKA ET AL.

Art Unit

3629

Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
A	US-2002/0035499	03-2002	Germeraad et al.	705/9
B	US-2003/0036945	02-2003	Del Vecchio et al.	705/10
C	US-			
D	US-			
E	US-			
F	US-			
G	US-			
H	US-			
I	US-			
J	US-			
K	US-			
L	US-			
M	US			

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N	JPO02002366797	06-2001	Japan	Shimada	
O					
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S					
T					

NON-PATENT DOCUMENTS

Include as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages

U	www.uspto.gov retrieved from the Internet Archive Wayback Machine of date 12/19/2000
V	
W	
Y	

*A copy of this reference is not being furnished with this Office action. (See 37 CFR § 707.05(a))

Dates in MM-YYYY format are publication dates. Classifications may be US or foreign

PATENT POSTCARD

Docket No. **SVIPGP002B** Appl. No. **10/691,090** Date **12/10/2004**

By: **KJZ/EP** Filing Date: **9/11/2003** Express Mail No.:

Inventor(s): **Kevin J. Zilka et al**

Title: **SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR COLLECTING STRATEGIC PATENT DATA ASSOCIATED WITH AN IDENTIFIER**

The following has been received in the U.S. Patent & Trademark Office on the date stamped below:

- Information Disclosure Statement
- Copies of Cited References
- Check
- Return Postcard



COPY

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:)
Kevin J. Zilka et al.) Group Art Unit: 2811
Application No.: 10/661,878)
Examiner: Mooneyham, J.
Filed: 09/11/2003)
Atty. Docket No.: SVIPGP002B
For: SYSTEM, METHOD AND COMPUTER)
PROGRAM PRODUCT FOR COLLECTING)
STRATEGIC PATENT DATA ASSOCIATED)
WITH AN IDENTIFIER)
Date: July 21, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on the date listed above.

Signed:

Erica L. Farlow

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§1.56 AND 1.97(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The reference(s) listed in the attached PTO Form 1449, cop(ies) of which is attached (when necessary), may be material to examination of the above-identified patent application. Applicants submit the reference(s) in compliance with their duty of disclosure pursuant to 37 CFR §§ 1.56 and 1.97. The Examiner is requested to make the reference(s) of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that the reference(s) indeed constitutes prior art.

This Information Disclosure Statement is believed to be filed before the mailing date of a first Office Action on the merits (and after the filing of an RCE). Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 50-1351 (Order No. SVIPG002B).

Respectfully submitted,
Zilka-Katub, PC


Kevin J. Zilka
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San Jose, CA 95172-1120
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Form 1449 (Modified)				Atty. Docket No. SVIPGP002B	Application No.: 10/661,878
Information Disclosure Statement By Applicant				Applicant: Kevin J. Zilka et al.	
(Use Several Sheets if Necessary)				Filing Date: 09/11/2003	Group Art Unit: 2811

U.S. Patent Documents

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub-class	Filing Date
	A						
	B						
	C						
	D						
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	I						
	J						
	K						

Foreign Patent or Published Foreign Patent Application

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub-class	Translation	
							Yes	No
	L	2,339,374	01/19/2000	GB	G06F	17/30	X	
	M							
	N							
	O							
	P							

Other Documents

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	R	Copy of Office Action Summary from application no. 10/661,855 which was mailed on 11/15/2004.
		Copy of Office Action Summary from application no. 10/661,938 which was mailed on 01/26/2005.
		Copy of Office Action Summary from application no. 10/660,830 which was mailed on 06/22/2005.
	S	East Search Screen Showing Copyright Date Of 1999
	T	Dialog Pocket Guide, The Dialog Corporation, Copyright Date Of 1998
Examiner		Date Considered

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Notice of References Cited

Application/Control No.

10/661,878

Examiner

Janice A. Mooneyham

Applicant(s)/Patent Under
Reexamination
ZILKA ET AL

Art Unit

3620

Page 2 of 2

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
A	US-2002/0077835	06-2002	Hegelin, Theodore	705/1
B	US-2004/0181427	05-2004	Stobbs et al.	705/001
C	US-2003/0036645	02-2003	Del Vecchio et al	705/10
D	US-2002/0111953	08-2002	Snyder, Cecily Anne	707/101
E	US-			
F	US-			
G	US-			
H	US-			
I	US-			
J	US-			
K	US-			
L	US-			
M	US-			

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N					
O					
P					
Q					
R					
S					
T					

NON-PATENT DOCUMENTS

*	(Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
U	
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W	
X	

A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be U.S. or foreign.

PATENT POSTCARD

Bocket No.	SVIPGP002B	Appln. No.	10/691,090	Date	07/21/2005
By	KJZ:EF	Filing Date:	9/11/2003	Express Mail No.:	
Inventor(s)	Kevin J. Zilka et al.				
Title	SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR COLLECTING STRATEGIC PATENT DATA ASSOCIATED WITH AN IDENTIFIER				

The following has been received in the U.S. Patent & Trademark Office on the date stamped below:

- Information Disclosure Statement
- PTO Form 1449
- Copies of Cited References
- Return Postcard



Cmp
8-4-05